U.S. Department of Justice
Office of the Solicitor General

Washington, D.C. 20530

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SUPREME COURT, U.S.

November 23, 1983

Honorable Alexander L. Stevas
Clerk
Supreme Court of the United States
Washington, D.C. 20543

Re: Nicholson v. ICC, et al., No. 83-533

Dear Mr. Stevas:

In his motion for leave to file an amicus brief in this case on behalf of Louisiana Landmarks Society, Mr. Pitts states that the Solicitor General refused to consent to the filing. On November 14, Mrs. Shapiro of my office, the attorney responsible for reviewing the government's filing in this case, informed Mr. Pitts that, although it is my policy to consent to amicus filings by any party who has an interest in the disposition of a case, my consent must be given in writing in response to a written request. Mr. Pitts has made no such written request, and I have therefore had no occasion to consent -- much less to refuse consent -- to his filing.

The motion also states that ICC consented to the filing. I am informed that the ICC attorney responsible for the case told Mr. Pitts that, although the ICC had no objection to the Society's amicus participation, any consent from the government to that participation would have to come from this office.

Sincerely,

Rex E. Lee

Rex E. Lee
Solicitor General

cc: see attached

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